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OFFICE OF PETITIONS

In re Patent No. 7,605,844
Issued: October 20, 2009
Application No. 10/713,662
Filed: November 13, 2003
Attorney Docket No. 16113-1308001

: DECISION ON REQUEST
: FOR RECONSIDERATION
: OF PATENT TERM ADJUSTMENT
: AND
: NOTICE OF INTENT TO ISSUE
: CERTIFICATE OF CORRECTION

This is a decision on the APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(d) filed on December 21, 2009, requesting that the patent term adjustment indicated on the above-identified patent be corrected from 619 days to 1188 days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by one thousand one hundred eighty-three (1183) days is **GRANTED to the extent indicated herein**.

As the period from the filing date of the request for continued examination (RCE) to the issue date of the patent is not included in the "B" delay period, the over three year period begins on November 14, 2006 and ends on January 6, 2009, the day before the RCE was filed, and the B delay considering the 221 days of overlap is 785 (not 790) days. See 35 U.S.C. 154(b)(1)(B)(i). As such, the patent term adjustment is 1183, not 1188 days.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the

term of the above-identified patent is extended or adjusted by **one thousand one hundred eighty-three (1183)** days.

Telephone inquiries specific to this decision should be directed to Senior Petitions Attorney Patricia Faison-Ball at (571) 272-3212.

/Kery A. Fries/

Kery A. Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT : 7,605,844 B1

DATED : October 20, 2009

INVENTOR(S) : Page et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (619) days

Delete the phrase "by 619 days" and insert – by 1183 days--

Day : Friday
Date: 3/26/2010

PALM INTRANET

Time: 14:29:11

PTA Calculations for Application: 10/713662			
Application Filing Date:	11/13/2003	PTO Delay (PTO):	890
Issue Date of Patent:	10/20/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	271
Post-Issue Petitions:	0	Total PTA (days):	1183
PTO Delay Adjustment:	564		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
79	03/26/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	564		
74.5	09/30/2009	PTA 36 MONTHS			
74	10/20/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
73	09/21/2009	EXPORT TO FINAL DATA CAPTURE			
72	09/18/2009	DISPATCH TO FDC			
71	09/08/2009	RESPONSE TO REASONS FOR ALLOWANCE			
70	09/15/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
69	09/08/2009	ISSUE FEE PAYMENT VERIFIED			
68	09/08/2009	ISSUE FEE PAYMENT RECEIVED			
67	07/07/2009	FINISHED INITIAL DATA CAPTURE			
66	06/15/2009	EXPORT TO INITIAL DATA CAPTURE			
63	06/12/2009	MAIL NOTICE OF ALLOWANCE			
62	06/09/2009	ISSUE REVISION COMPLETED			
61	06/09/2008	DOCUMENT VERIFICATION			
60	06/09/2009	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
59	06/09/2009	CASE DOCKETED TO EXAMINER IN GAU			
58	06/08/2009	NOTICE OF ALLOWABILITY			
55	04/07/2009	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
54	05/27/2009	NEW OR ADDITIONAL DRAWING FILED			
53	05/31/2009	DATE FORWARDED TO EXAMINER			
52	05/27/2009	RESPONSE AFTER NON-FINAL ACTION		7	44
51	05/27/2009	REQUEST FOR EXTENSION OF TIME - GRANTED			

50	04/07/2009	REFERENCE CAPTURE ON IDS			
49	04/07/2009	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
48	04/07/2009	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
46	02/20/2009	ELECTRONIC REVIEW			
45	02/20/2009	EMAIL NOTIFICATION			
44	02/20/2009	MAIL NON-FINAL REJECTION			
43	02/17/2009	NON-FINAL REJECTION			
42	01/08/2009	DATE FORWARDED TO EXAMINER			
41	01/07/2009	RCE- AF PROCESSED			
40	01/08/2009	DATE FORWARDED TO EXAMINER			
39	01/07/2009	REQUEST FOR CONTINUED EXAMINATION (RCE)			
38	01/08/2009	DISPOSAL FOR A RCE / CPA / R129			
37	01/07/2009	WORKFLOW - REQUEST FOR RCE - BEGIN			
36	12/26/2008	EMAIL NOTIFICATION			
35	12/26/2008	MAIL ADVISORY ACTION (PTOL - 303)			
34	12/22/2008	ADVISORY ACTION (PTOL-303)			
33	12/10/2008	DATE FORWARDED TO EXAMINER			
32	12/05/2008	AMENDMENT AFTER FINAL REJECTION			
31	10/18/2008	MAIL POST CARD			
30	10/10/2008	EMAIL NOTIFICATION			
29	10/09/2008	MAIL FINAL REJECTION (PTOL - 326)			
28	10/01/2008	FINAL REJECTION			
27	07/23/2008	DATE FORWARDED TO EXAMINER			
26	06/12/2008	RESPONSE AFTER NON-FINAL ACTION		142	21
25	05/29/2008	MAIL NOTICE OF INFORMAL OR NON-RESPONSIVE AMENDMENT			
24	05/15/2008	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)			
23	05/12/2008	CORRESPONDENCE ADDRESS CHANGE			
22	03/12/2008	DATE FORWARDED TO EXAMINER			
21.1	01/22/2008	INFORMAL OR NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION			
21	01/22/2008	RESPONSE AFTER NON-FINAL ACTION		122	18
20	01/22/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
18	06/22/2007	MAIL NON-FINAL REJECTION	890		-1

17	06/19/2007	NON-FINAL REJECTION			
16	01/09/2007	CASE DOCKETED TO EXAMINER IN GAU			
15	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
14	02/22/2006	CASE DOCKETED TO EXAMINER IN GAU			
13	06/24/2005	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
12	06/24/2005	CASE DOCKETED TO EXAMINER IN GAU			
11	05/26/2004	TRANSFER INQUIRY TO GAU			
10	03/01/2004	TRANSFER INQUIRY TO GAU			
9	02/19/2004	APPLICATION RETURN FROM OIPE			
8	02/19/2004	APPLICATION RETURN TO OIPE			
7	02/18/2004	APPLICATION DISPATCHED FROM OIPE			
6	02/19/2004	APPLICATION IS NOW COMPLETE			
5	11/13/2003	PGPUBS NONPUB REQUEST			
4	01/30/2004	CLEARED BY OIPE CSR			
3	01/30/2004	CASE CLASSIFIED BY OIPE			
2	12/22/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	11/13/2003	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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Back to OASIS | Home page